IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 4950 of 2006(L)

PETITIONER:

A.P.USMAN, PRESIDENT, IDUKKI BLOCK LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD., NO. 1339, IDUKKI COLONY PO, S/O.PAREED, AGED 36, RESIDING AT ARUMBASSERIL, NAYARUPARA PO,. IDUKKI.

BY ADV. LIJI.J.VADAKEDOM

RESPONDENTS:

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1. **P.M.MANUAL, FORMER PRESIDENT, IDUKKI DISTRICT CO-OPERATIVE BANK LTD., PARAKUNNEL, KOTHIKUNNU, THODUPUZHA.**

2. **ANTONY ALENCHERRY, FORMER VICE PRESIDENT IDUKKI DISTRICT CO-OPERATIVE BANK LIMITED, ALENCHERIL HOUSE, CHOTTUPARA PO, VANDIPERIYAR.**

3. **M.C.MATHEW, FORMER EXECUTIVE COMMITTEE MEMBER, IDUKKI DISTRICT CO-OPERATIVE BANK LTD., MUNDPLACKAL HOUSE, THODUPUZHA.**

4. **P.N.VIJAYAN.FORMER EXECUTIVE COMMITTEE, MEMBER, IDUKKI DISTRICT CO-OPERATIVE BANK LTD., MUNDAPLACKAL HOUSE, THODUPUZHA.**

5. **T.N.SASIDHARAN, FORMER DEPUTY GENERAL MANAGER AND P.A. TO PRESIDENT, IDUKKI DISTRICT CO-OPERATIVE BANK LTD., PULLALIL HOUSE, VIMALAGIRI PO, IDUKKI 685 602.**

6. **IDUKKI DISTRICT CO-OPERATIVE BANK IDUKKI REPRESENTED BY THE GENERALMANAGER, HEAD OFFICE IDUKKI DISTRICT CO-OP,. BANK IDUKKI, COLONY.**

7. JOINT REGISTRAR OF CO-OPERAITVE SOCIETIES, CURRENT AUDITOR, IDUKKI DISTRICT CO-OP.BANK, IDUKKI.

8. REGISTRAR OF CO-OP.SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OP.SOCIETIES, THIRUVANANTHAPURAM.

BY ADV. SRI.P.C.SASIDHARAN
SRI.JOICE GEORGE
GOVERNMENT PLEADER SRI. BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 4950/2006 L

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REPORT BY THE DY. REGISTRAR OF CO-OP SOCIETIES, KOTTAYAM TO THE REGISTRAR CO.OP. SOC.

EXT.P2. COPY OF THE REPORT DT. 2/6/2003 ON THE ENQUIRY REPORT DT. 2/6/2003 ON THE ENQUIRY UNDER SECTION 66.

EXT.P3. COPY OF THE REPRESENTATION.

EXT.P4. COPY OF THE JUDGMENT IN WPC NO. 33272/2005 OF THIS COURT.

EXT.P5. COPY OF THE REPRESENTATION BY THE PETITIONER BEFORE THE R9.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE LIST OF SOCIETY FROM WERE RECORDS WERE NOT FURNISHED FOR THE AUDIT.

EXT.R1B. COPY OF THE NEWS ITEM APPEARED IN THE MALAYALA MANORAMA DAILY DT. 18/10/2002.

EXT.R7A. COPY OF THE ORDER NO. C3(3) 3304 DT. 20/1/2002 BY THE R9.

True copy

tga

KURIAN JOSEPH, J.

W.P(C)No.4950 of 2006

Dated this the 16th day of March, 2007

JUDGMENT

The main prayer is prayer No.(iii) which reads as follows:-

> (iii) issue a writ of mandamus or any other writ order or direction directing the 9th respondent to hear the petitioner also while the 9th respondent is hearing Ext.P3 representation (which is referred as Ext.P5 representation W.P(C)33272/05 before this Hon'ble Court) in pursuance of Ext.P4 judgment and to consider this submission also.

It is seen that the petitioner had also submitted. Ext.P5 representation. In case no orders have been passed by the 9th respondent on Ext.P3, while considering Ext.P3 petitioner will also be afforded an opportunity for hearing and his representation, Ext.P5 will also be disposed of along with Ext.P3.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.